



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. MBHB00,884-H; 500.001)

PATENT FEB 08 2002  
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Application of: )  
Breaker, et al. ) Before the Examiner  
Serial No. 09/780,929 ) Group Art Unit: 1645  
Filed: February 8, 2001 )  
For: NUCLEIC ACID CATALYSTS WITH )  
ENDONUCLEASE ACTIVITY )

Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to the duty of disclosure provided by 37 C.F.R. §1.56 and §§1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. §1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §§ 102 or 103.

### CITED REFERENCES

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No.	Document Number								Date	Name	Class	Subclass	Filing Date if Appropriate
1	5	3	3	4	7	1	1	08/02/94	Sproat et al.				
2	5	6	2	4	8	0	3	4/29/97	Noonberg et al.				
3	5	8	5	4	0	3	8	12/29/98	Sullenger et al.				

#### FOREIGN PATENT DOCUMENTS

No.	Document Number										Date	Country	Translation	
													Yes	No
4	W	O	8	9	0	2	4	3	9	23/03/89	WO/PCT (Arnold et al.)	X		
5	W	O	9	1	0	3	1	6	2	21/03/91	WO/PCT (Rossi et al.)	X		
6	W	O	9	2	0	7	0	6	5	30/04/92	WO/PCT (Eckstein et al.)	X		
7	W	O	9	3	1	5	1	8	7	05/08/93	WO/PCT (Usman et al.)	X		
8	W	O	9	3	2	3	5	6	9	25/11/93	WO/PCT (Draper et al.)	X		
9	W	O	9	4	0	2	5	9	5	03/02/94	WO/PCT (Sullivan et al.)	X		
10	W	O	9	5	0	6	7	3	1	09/03/95	WO/PCT (Usman et al.)	X		
11	W	O	9	5	1	1	9	1	0	04/05/95	WO/PCT (Dudycz et al.)	X		

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12	W	O	9	6	1	0	3	9	0	11/04/96	WO/PCT (Ansell et al.)		
13	W	O	9	6	1	0	3	9	1	11/04/96	WO/PCT (Choi et al.)		
14	W	O	9	6	1	0	3	9	2	11/04/96	WO/PCT (Holland et al.)		
15	W	O	9	6	1	8	7	3	6	20/06/96	WO/PCT (Beigelman et al.)		
16	W	O	9	7	2	6	2	7	0	24/07/97	WO/PCT (Wincott et al.)		
17	W	O	9	8	4	3	9	9	3	08/10/98	WO/PCT (Breaker)	X	

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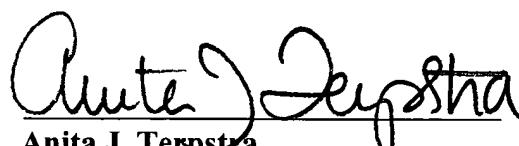
In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff**

Date: January 24, 2002

By:



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. MBHB00,884-H; 500.001)

PATENT  
FEB 08 2002  
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application of: )  
Breaker, et al. ) Before the Examiner:  
Serial No. 09/780,929 )  
Group Art Unit: 1645  
Filed: February 8, 2001 )  
For: NUCLEIC ACID CATALYSTS WITH )  
ENDONUCLEASE ACTIVITY )

Sir:

**TRANSMITTAL LETTER**

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

- Information Disclosure Statement;
- Information Disclosure Statement (IDS) PTO-1449 Form;
- Copies of IDS Citations for S/N 09/780,929 (Total 3 patents, 14 foreign patents and 105 other documents); and
- Return Receipt Postcard.

2. With respect to additional fees:

- No additional fee is required.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on January 24, 2002.

By :

*Anita J Terpstra*  
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